

2005 DRAFTING REQUEST

Bill

Received: **09/27/2004**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Rhodes**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Children - child welfare**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Rhodes, BB0015 -

Topic:

Child Welfare Program Enhancement Plan

Instructions:

See Attached--create appropriation to fund child welfare program enhancement plan activities.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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FE Sent For:

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2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Program Enhancement Plan
- Tracking Code:
- SBO team: Health & Insurance
- SBO analyst: Rhodes
 - Phone: 6-2288
 - Email: dennis.rhodes@doa.state.wi.us
- Agency acronym: DHFS
- Agency number: 6-9364

DHFS

Department of Health and Family Services
2005-2007 Biennial Budget Statutory Language Request
September 21, 2004

Program Enhancement Plan Appropriation

Current Language

None.

Proposed Change

Creates s.20.435 (3) (da) *Child Welfare Program Enhancement Plan; aids.* The amounts in the schedule for providing child welfare program enhancement plan activities.

used 45 CFR 1355.35

Effect of the Change

DHFS is requesting GPR funds in its 2005-2007 biennial budget request to support the federal Child and Family Service Review (CFSR) Program Enhancement Plan (PEP). This statutory change would create a new appropriation for these funds.

Rationale for the Change

A new appropriation is needed to allocate these funds.

Desired Effective Date:	Upon passage of the budget bill.
Agency:	DHFS
Agency Contact:	Nicole Groth
Phone:	266-9364



Department of Health and Human Services

Administration For Children and Families

Region V

Illinois • Indiana • Michigan • Minnesota • Ohio • Wisconsin

233 North Michigan Avenue, Suite 400
Chicago, Illinois 60601-5519

Telephone (312) 353-4237
Fax (312) 353-2204

Helene Nelson, Secretary
Wisconsin Department of Health
and Family Services
1 West Wilson Street
P. O. Box 8916
Madison, Wisconsin 53708-8916

Dear Secretary Nelson:

The Administration for Children and Families (ACF) in collaboration with the Wisconsin Department of Health and Family Services (WDHFS) recently completed a review of Wisconsin's Child and Family Services program to ensure substantial conformity with the State plan requirements found in Titles IV-B and IV-E of the Social Security Act. The review began in November 2002 with an analysis of data related to safety, permanency, and well-being of children involved with WDHFS and a statewide assessment of areas critical to the effective functioning of the State's child welfare system. During the week of August 18, 2003 a joint Federal and State team conducted a review of 50 cases and interviewed numerous key stakeholders in the child welfare system. The final report of the review is enclosed.

We appreciate the time and effort that you and your staff committed to the planning and implementation of the Child and Family Services Review (CFSR). While this was a joint effort, we would like to thank especially Kitty Kocol, John Tuohy, Mark Campbell, Michelle Rawlings, Barbara Berlin, and the staff in Milwaukee, Kenosha and Outagamie counties and in Madison for taking responsibility for this review.

The State can take pride in those areas found to be strengths in its child welfare system. We have determined that Wisconsin is operating in substantial conformity in three of the seven systemic factors that have an effect on the State's ability to help children and families to achieve positive outcomes.

We have determined that the Department is not operating in substantial conformity in six of the seven outcome areas and in four of the seven systemic factors. A Program Improvement Plan (PIP) is required to address each outcome and systemic factor determined not to be in substantial conformity. Please submit the PIP to our office for approval by April 14, 2004.

A penalty of \$1,428,465, in federal financial participation, is applicable to this level of non-conformity. This amount is an estimate. The actual amount of the penalty will not be determined until Wisconsin has submitted its final claims for Federal Fiscal Year 2003. We are suspending the withholding of funds associated with this penalty during the period of the approved PIP. If we determine that the State is successful in rectifying any of the areas that are in non-conformity, either through successful completion of the PIP or through a subsequent review, we will rescind the withholding of Federal funds associated with those areas.

Our staff will assist in developing the PIP to ensure that WDHFS establishes a strategy for bringing each of the identified areas up to a level of substantial conformity as specified in Title 45 of the Code of Federal Regulations (CFR), section 1355.35. To the extent possible, those persons involved in the CFSR planning process and members of the review team, including those who are not employees of WDHFS, should be involved in developing the PIP.

In accordance with the CFSR Procedures Manual, the major elements of the PIP include the priority assigned to the State's work on each area of non-conformity, identification of the individuals responsible for carrying out the various steps, the identification of the geographical areas of the State where you will make efforts, and the establishment of time frames for carrying out the improvements. We will work with your staff to determine timeframes, specific content, and the process for evaluating progress and achievements.

45 CFR 1355.37 requires that the State make available for public review and inspection all statewide assessments, reports of findings, and PIPs developed as a result of a CFSR. Therefore, we suggest you consider how WDHFS will respond to inquiries concerning these documents and prepare to make the information available. Since the information is available to the public, ACF is obliged to respond to the information as well.

The State may enter into a voluntary PIP to strengthen any areas that were determined to be in substantial conformity. We will be happy to discuss the provisions for developing a voluntary PIP at your request.

In accordance with 45 CFR 1355.32(b)(2)(ii), we will begin the next full CFSR of WDHFS two years after approval of the program improvement plan. Patris Shirrells of our staff will contact your staff to discuss the development of the PIP. Please be assured that we will continue to work with you to ensure the safety, permanency, and well-being of children and families in Wisconsin.

Sincerely,

Joyce A. Thomas
Regional Administrator



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-02937
GMM: X... 1
jld

LPS - fix request sheet please

DOA:.....Rhodes, BB0015 - Child welfare program enhancement plan
FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND ~~FAMILY~~ SERVICES

✓ CHILDREN

Under current federal law, the state receives payments under Title IV-B of the federal Social Security Act (Title IV-B) for child and family services and under Title IV-E of the federal Social Security Act (Title IV-E) for foster care and adoption assistance. To receive those payments, the state is required to have state plans for those services and for that assistance that meet the requirements of those titles. Federal law requires the programs administered by the state under those titles to be reviewed to determine whether those programs are in substantial conformity with the state plan requirements under those titles. If the state is not in substantial conformity with those state plan requirements, federal law requires a certain percentage of Title IV-B and IV-E funds to be withheld from the state, except that federal law requires the state to adopt and implement a corrective action plan to achieve that substantial conformity and requires the federal Department of Health and Human Services to suspend the withholding of those funds while the corrective action plan is in effect.

This bill appropriates general purpose revenues for activities provided under the Child Welfare Program Enhancement Plan developed by DHFS to achieve substantial conformity with the state plan requirements of Titles IV-B and IV-E.

Title

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

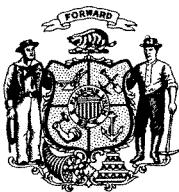
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.435 (3) (da) of the statutes is created to read:

20.435 (3) (da) *Child Welfare Program Enhancement Plan; aids.* The amounts in the schedule for activities provided under the Child Welfare Program Enhancement Plan developed under 45 CFR 1355.35.

******NOTE:** This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

(END)



DOA:.....Rhodes, BB0015 – Child Welfare Program Enhancement Plan
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